

**United States District Court
Eastern District of Texas
Lufkin Division**

)
Personal Audio, LLC,)
)
)
Plaintiff,)
)
)
v.)
)
)
Apple Inc.,) Case 9:09-cv-00111-RC
)
)
Defendants.)
)
)

**Joint Motion for Judgment of Dismissal
Between Plaintiff, Personal Audio, LLC and Defendant, Apple, Inc.**

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Personal Audio, LLC and Defendant Apple Inc. jointly move the Court to dismiss this case according to the terms of the attached Order of Dismissal. Personal Audio and Apple agree that each party shall bear its own attorneys' fees and costs.

Agreed to and respectfully submitted on this 21st day of December, 2011.

Robins, Kaplan, Miller & Ciresi L.L.P.

By: /s/ Charles W. Goehringer Jr.

Ronald J. Schutz (MN Bar No. 130849)
(Eastern District of Texas Member)
(Lead Counsel)
Jake M. Holdreith (MN Bar No. 211011)
(Eastern District of Texas Member)
Cyrus A. Morton (MN Bar No. 287325)
(Eastern District of Texas Member)
David A. Prange (MN Bar No. 329976)
(Eastern District of Texas Member)
Patrick M. Arenz (MN Bar No. 0386537)
(Eastern District of Texas Member)
Daniel R. Burgess (MN Bar No. 0389976)
(Eastern District of Texas Member)

800 LaSalle Avenue, Suite 2800
Minneapolis, Minnesota 55402

Telephone: (612) 349-8500

Facsimile: (612) 339-4181

E-mail: RJSchutz@rkmc.com

JMHoldreith@rkmc.com

CAMorton@rkmc.com

DAPrange@rkmc.com

PMArenz@rkmc.com

DRBurgess@rkmc.com

Annie Huang (MN Bar No. 0327979)

(Eastern District of Texas Member)

601 Lexington Avenue, Suite 3400

New York, NY 10022

Telephone: 212-980-7400

Facsimile: 212-980-7499

E-mail: AHuang@rkmc.com

Germer Gertz, L.L.P.

Lawrence Louis Germer

(TX Bar # 07824000)

Charles W. Goehringer, Jr.

(TX Bar # 00793817)

550 Fannin, Suite 400

P.O. Box 4915

Beaumont, Texas 77701

Tel: (409) 654-6700

Fax: (409) 835-2115

Fish & Richardson P.C.

By: /s/ Benjamin C. Elacqua

Garland T. Stephens (24053910)

David J Healey (09327980)

John R. Lane(24057958)

Benjamin C. Elacqua (24055443)

Wasif H Qureshi (24048155)

1221 McKinney Street, Ste 2800

Houston, TX 77010

713-652-0115

Fax: 713-652-0109

healey@fr.com

stephens@fr.com

jlane@fr.com

elacqua@fr.com

qureshi@fr.com

Ruffin Cordell (04820550)

1425 K St. NW, Suite 1100

Washington, DC 20005

202-783-5070

Fax: 202-783-2331

Email: cordell@fr.com

Kelly C. Hunsaker (pro hac vice)

Scott A. Penner (pro hac vice)

Jerry T. Yen (CA 247988)

500 Arguello St., Suite 500

Redwood City, CA 94063

650-839-5070

Fax: 16508395071

Email: yen@fr.com

Justin M. Barnes (pro hac vice)

12390 El Camino Real

San Diego, CA 92130

858-678-5070

Fax: 858-678-5099

Email: barnes@fr.com

J. Thad Heartfield (09346800)

M. Dru Montgomery (24010800)

The Heartfield Law Firm

2195 Dowlen Road

E-Mail: llgermer@germer.com
cwgoehringer@germer.com

Attorneys for Plaintiff Personal Audio, LLC

Beaumont, TX 77706
409-866-3318
Fax: 409-866-5789
Email: thad@jth-law.com
Email: dru@jth-law.com

Deron R. Dacus (00790553)
Ramey & Flock
100 East Ferguson, Ste. 500
Tyler, TX 75702
903-597-3301
Fax: 903-597-2413
Email: ddacus@rameyflock.com

Attorneys for Defendant Apple Inc.

Certificate of Service

I hereby certify that on December 21, 2011, I caused a true and correct copy of this document (Joint Motion for Judgment of Dismissal Between Plaintiff, Personal Audio, LLC and Defendant, Apple, Inc.) to be served on all counsel of record via Electronic Case Filing (ECF) pursuant to Local Rule CV-5(a).

Date: December 21, 2011

/s/ Charles W. Goehringer Jr.

Charles W. Goehringer, Jr.